

REMARKS

The above-identified patent application has been reviewed in light of the Examiner's Office Action dated March 3, 2009 (herein, the "Office Action"). In the Office Action, Claims 1 – 11, 16 – 19, 30 – 46 and 52 were rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent Number. 6,968,044 to Beason *et al.* (herein *Beason*) in view of U.S. Patent Number 6,771,742 to McCalmont, *et al.* (herein "*McCalmont*"). A petition for a one-month's extension of time is transmitted herewith.

In response to the Office Action, Applicants hereby amend no claims, cancel no claims and add no claims. Therefore, **Claims 1 – 11, 16 – 19, 30 – 46 and 52 are currently pending**. As set forth more fully below, reconsideration and allowance of the pending claims are respectfully requested.

The present invention comprises a system and method for rotating media channels between resources of an emergency services network and conforming emergency systems (CES's). The object of which is to provide a plurality of media channels for communicating data from the plurality of resources through a transport network to a CES. A channel system in the CES and a resource channel system in each of the plurality of resources establish and tear down media channels as needed in order to rotate the media channels. Thus, only the media channels that are needed at one time are utilized and there are no hard-wired, direct connections between the CES and the plurality of resources.

All claims stand rejected as being obvious over *Beason* in view of *McCalmont*. Applicants respectfully submit that the independent claims, claims 1 and 36, define over *Beason* and *McCalmont*, both individually and in combination, and are therefore allowable. The rest of the claims depend from either claim 1 or claim 36 and are therefore likewise allowable.

In his rejection, the Examiner states that *Beason* discloses "a plurality of resources of an emergency services network connected to the transport network (Col. 8 lines 11 – 19;

Beason discusses databases, *i.e.*, resources)...” Applicants agree that *Beason* discusses a plurality of databases and that databases are an example of a resource. Applicants disagree, however, that *Beason* discloses “a plurality of resources of an emergency services network connected to the transport network” as disclosed and claimed in Applicants’ invention.

In both Figures 3 and 4, *Beason* shows that the databases are clearly connect to an integrated STP/SCP gateway (FIG. 3) or an SCP (FIG. 4). *Beason* requires that the databases are connected to the transport network via an intermediary and are not connected directly to the transport network. *Beason* further states, in the description of FIG. 3, that “[t]he STP/SCP gateway 102 also may include a database 138, which may comprise a plurality of databases residing at the integrated STP/SCP gateway.” Col. 8, lines 11 – 13. *Beason* is stating that the databases may be separate from the STP/SCP gateway or may be part of the STP/SCP gateway. Clearly, the databases (resources) are not connected directly to the transport network as disclosed and claimed in Applicants’ invention.

Importantly, *Beason* states that “[l]ocating the database 138 at the STP/SCP gateway 102 or the SCP 54 allow the telecommunication services provider to use the SS7 switching protocol signaling network at a point in time when the telephone 9, 38, or wireless device 130 dials 911.” Col. 12, lines 35 – 39. By this statement, *Beason* is teaching that it is preferable to connect the databases to a device (the STP/SCP gateway) rather than to the network directly, as claimed in Applicants’ independent claims 1 and 36. **Thus, *Beason* is teaching away from Applicants’ invention.**

For this reason alone, Applicants’ independent claims 1 and 36, and the claims that depend there from, are patentable.

Applicants’ respectfully submit that the Examiner’s reliance on *McCalmont* to add the final element of Applicants’ claims 1 and 36 is misplaced. The Examiner cites column 11 lines 32 – 67 and FIG. 2, element 244 for this proposition. It is respectfully suggested that the Examiner must mean element 204, the PSTN, not element 244, the PSAP. Applicants claim a transport network with virtual channels in the independent claims. As is know in the art, the channels in the PSTN are not virtual but are dedicated for the life of a call. Further, a call from a cell phone is not transported via a transport network as described and claimed in Applicants’ invention. A call to 9-1-1 from a cell phone may be a “triggering event,” as the

Examiner states, but it does not result in a second channel being set up. The channel between the cell phone and the PSAP is set up before any channel between a resource and the PSAP is needed.

Therefore, Applicants' independent claims 1 and 36 distinguish over *Beason* in view of *McCalmont* and are thus patentable.

The remaining claims depend from patentable independent claims and are therefore patentable.

The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

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